

DECLARATION OF DANIEL L. GAILLARD

I, Daniel L. Gaillard, hereby declare as follows:

1. I am a herpetologist and professor working at Dalton State College in Dalton, Georgia. I have studied reptiles, turtles specifically, for 11 years and have been an environmental consultant contractor on and off for 11 years. I am also a research assistant at Hainan Normal University in Haikou, China, where I spend summers giving special topic lectures, training students and performing research projects ranging from turtle genetics to ecology.
2. As a herpetologist, I have travelled to various states in the US, and to Mexico, Hong Kong and China to study turtles in their natural habitats, collect genetic samples and survey the local wildlife trade. The results from a population genetics study on gopher tortoises in the southeast is now being used by the United States Fish and Wildlife Service to help guide their species management plans. In addition, I've also assisted the International Union for the Conservation of Nature (IUCN) on updating species' statuses and provided information to the Convention on International Trade in Endangered Species (CITES) during re-evaluation of listing status of several turtle species.
3. My expertise lies in understanding the natural genetic make-up of wild turtle populations and how we can use that information to guide species' management plans and identify origins of confiscated individuals. I am also highly involved in the wildlife trade as it relates to turtles. I've spent the last five years in the field in China surveying and studying the wildlife trade in villages, turtle farms and from dealers. I have a deep understanding of how the routes of smuggling occur within China and its neighboring countries. In addition, I also have experience in the trade of turtles between China and US/Mexico as turtles in these two countries are highly sought after by turtle farmers and hobbyists in the turtle trade.
4. I reviewed and help translate several documents involved with this case. Mr. Xiao Dong Qin was very specific in targeting native US species that are highly sought after, and highly profitable, to smuggle back to China and Hong Kong. This is an all too common phenomenon, and the turtles Mr. Qin smuggled only exacerbate the decline of wild populations of these turtles.
5. The illegal trade in turtles has been an issue for the last 30 years, and has increased recently for certain species. In 2019, there were multiple seizures of confiscated wild caught (WC) turtles. In Florida there were 5,581 smuggled WC adult Florida box turtles and mud turtles, over 3000 turtles confiscated in Shanghai, including WC species of box turtles, 281 turtles seized in New York, including the federally threatened bog turtle, and an estimated 70,000 Indian flapshell turtles were illegally collected and smuggled out of India. These cases are not an exhaustive list of known smuggled animals, and globally there were possibly hundreds of thousands more smuggled that went undetected.
6. Turtle populations are highly susceptible to loss of adult animals due to the relatively low annual reproductive output and the length of time to maturity (8-25 years). Depending on the size of the population, it is estimated that the loss of only a handful of adult females will cause that population to decline. Mr. Qin pled guilty to smuggling approximately 127 adult turtles from the U.S. For these smuggled animals, it is unclear if individuals of the same species came from the same wild population or multiple populations. In either scenario, the number of adults collected from the wild to supply his shipments will have a negative long-term impact on those

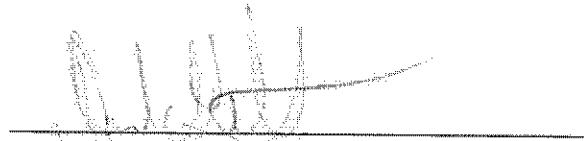
populations. The defendant also pled guilty to smuggling approximately 177 baby turtles from the U.S. While these individuals were likely captive bred, depending on the person who produced them, the adult stock was possibly WC. An increase in the demand for hatchlings of a species, especially for some of the species smuggled by Mr. Qin, surpasses the number currently produced by breeders. Therefore, even smuggling hatchling animals has the potential to result in the loss of adult female animals from the wild.

7. I believe the adult turtles smuggled by Mr. Qin were WC animals because, of the hundreds of smuggled adult turtles of these species I've seen in Chinese farms and pet shows, about 99% were all WC animals. Second, most breeders will not sell their adult stock because it impacts their bottom line and so adult individuals of these species are not commonly sold. Lastly, buying adult breeders is ten times or more expensive than buying WC animals. Buying captive animals will decrease profit margins for the dealer, and they are not as common.
8. The yellow blotched map turtle (*Graptemys flavimaculata*), Florida box turtle (*Terrapene carolina bauri*), and wood turtle (*Glyptemys insculpta*) are especially susceptible to illegal take due to small geographic distribution (Florida box turtle and yellow blotched map turtle) or the length of time to maturity (wood turtle).
 - a. The Florida box turtle's range is limited to the terrestrial ecosystems in Florida. Most of these ecosystems have been destroyed or severely altered by anthropogenic activities. The remaining intact habitat is highly fragmented resulting in some populations becoming isolated from each other. If one population is collected heavily and extirpated, it is difficult for it to be recolonized naturally, thus decreasing the overall number and possible genetic diversity of this subspecies.
 - b. While abundant in its native habitat, the yellow blotched map turtle is only found in the Pascagoula River system in Mississippi. Yellow blotched map turtles are listed as threatened on the Endangered Species Act. Collection for the pet trade is one of the major threats to its survival due to its finite range.
 - c. Wood turtles are at risk because they are one of the slower maturing species of turtles in the US (14-20 years). This slow maturation rate means that taking out a single female will result in a 14-20 year delay in a turtle to match its reproductive output. It also means that she will no longer produce offspring in the wild. Potentially 10 eggs/year for 20-30 years (200-300 eggs) are effectively removed from that population.
 - d. These species are all omnivores, and they eat a variety of insects, fish, worms, fungi, plants etc. They can play an important role in helping to maintain populations of their prey items, and play a role in seed distribution for the plants they consume. Whether it is a population decline or extirpation, or the loss of the ecological benefits of turtles to their habitat, smuggling these species of turtles from the wild will always be detrimental.
9. While China does consume more turtle meat than any other country in the world, the species Mr. Qin smuggled are not consumed. Box, wood, spotted, Blanding's, and yellow blotched map turtles, along with diamondback terrapins are all CITES protected species and they are being smuggled for the pet trade or to be placed on a farm and bred to produce offspring to be a pet.

10. One common theme I've found in the illegal turtle trade is that it is a low-risk and high-reward business. First, the profitability of many species of turtles allows for those involved to make large sums of money rather quickly and the likelihood of being caught is low. Second, if you are caught, then the punishments are typically small compared to the overall money you have made/will make in the future. Other persons involved in the illegal trade know what punishment others receive when they get caught. More severe punishments for those found guilty of smuggling turtles may help in dissuading others from participating in similar activities.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this third day of February, 2020, at Dalton, Georgia.



DANIEL L. GAILLARD PhD

Herpetologist